

FILED

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IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY SW
DEPUTY

AMERICAN STEWARDS OF LIBERTY, §
et. al. §

Plaintiffs, §

v. §

DEPARTMENT OF THE INTERIOR, *et* §
al. §

Defendants. §
§

CIVIL ACTION NO. 1:15-cv-01174-LY

SCHEDULING ORDER

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following scheduling order.

IT IS ORDERED THAT:

1. The parties will file all amended or supplemental pleadings and will join additional parties on or before July 15, 2016. Plaintiff intends to file an amended complaint before that time.
2. Defendants' deadline to respond to both Plaintiffs' and Intervenor's Complaints is extended to the earlier of either 14 days after Plaintiffs file their amended complaint or 14 days after July 15, 2016.
3. Defendants will provide a draft Administrative Record to Plaintiffs and Intervenor's

on or before August 1, 2016. Plaintiffs and Intervenor will disclose their concerns regarding the Administrative Record to Defendants, if any, by August 19, 2016. The parties will meet and confer in an effort to informally resolve those concerns, if any, by August 31, 2016.

4. Defendants will file the Administrative Record with the Court by September 29, 2016.

5. Motions to supplement the Administrative Record, if any, will be filed by October 14, 2016, oppositions will be filed October 28, 2016, and replies will be filed November 4, 2016.

6. If a party seeks discovery, the parties will first confer regarding the scope of the proposed discovery. In the event an agreement is not reached regarding the exchange of limited written discovery, the parties will next request a status conference with the Court as was instructed by the Court during the Initial Pretrial Conference. If the dispute remains unresolved, the party seeking discovery will request leave of the Court to conduct discovery by October 14, 2016, oppositions will be filed October 28, 2016, and replies will be filed November 4, 2016.

7. In the event that no motions to supplement the Administrative Record or motions to seek discovery are filed, the parties shall proceed on the following schedule:

- Plaintiffs' and Plaintiff-Intervenor's Motions for Summary Judgment will be filed by November 15, 2016 and each motion will be limited to 25 pages,
- Defendants' Cross-Motion for Summary Judgment and Opposition to Plaintiffs' and Intervenor's respective Motions for Summary Judgment will be filed by January 13, 2017 and each motion will be limited to 25 pages,

- Plaintiffs' and Intervenor's combined Replies in Support of their Motions for Summary Judgment and Oppositions to Defendants' Cross-Motion for Summary Judgment will be filed by January 27, 2017 and each brief will be limited to 15 pages.
- Defendants' Summary Judgment Reply briefs will be filed by February 17, 2017 and each brief will be limited to 15 pages.

8. If any motions to supplement the Administrative Record or motions to seek discovery are filed, the briefing schedule in Paragraph 7 will be vacated and the parties will submit a new briefing schedule consistent with the one in Paragraph 7 within 14 days after the resolution of the motions.

9. The Court will hold a hearing on the parties' Cross-Motions for Summary Judgment on the Seventh Floor of the United States Courthouse, 501 West Fifth Street, Austin, Texas, on Friday, March 24, 2016 at 9:30 am.

10. The parties anticipate that this case will be resolved via Cross-Motions for Summary Judgment. If not, the parties propose to meet and confer and file a joint status report within 14 days after the Court decides such motions.

SIGNED this 16th day of September, 2016.


LEE YEAKEL
UNITED STATES DISTRICT JUDGE

AGREED:

Paul Weiland

Typed or Printed Name

/s/ Paul Weiland (with permission on 9.15.16)

Signature

ATTORNEY FOR PLAINTIFF(S)

Jeremy Hessler

Typed or Printed Name

/s/ Jeremy Hessler

Signature

ATTORNEY FOR DEFENDANT(S)

Robert Henneke

Typed or Printed Name

/s/ Robert Henneke (with permission on 9.15.16)

Signature

ATTORNEY FOR PLAINTIFF-INTERVENORS